

Remarks/Arguments

This is in response to the office action mailed October 13, 2010. The examiner's indication that claims 8-10 and 12 are allowed is appreciatively acknowledged.

As a result of the foregoing amendment, Claim 5 has been amended in a manner which clearly distinguishes it from the disclosure of the Takai '237 reference. Specifically, the phrase "soil pressure absorption plates provided outside said internal water storage sub-tank" has been replaced with 'soil pressure absorption plates for absorbing soil pressure from the surroundings of the underground water storage tank provided outside said internal water storage sub-tank." Also, the phrase "a second water-impermeable sheet for coating said a soil pressure absorption plates" has been changed to read "a second water-impermeable sheet for coating said soil pressure absorption plates so as to prevent water stored in the internal water storage sub-tank from leaking to the exterior." These modifications to the claim are based on the disclosure in paragraph [0062], lines 1 through 10 of the publication of the present application US 2007/026-7418 A1.

Reconsideration and withdrawal of the rejection of claim 5 and claims dependent thereon as being anticipated by the Takai' 237 reference are requested. The examiner is of the view that Fig. 1 of the reference discloses an underground water storage tank configured for underground burial capable of storing water. The examiner asserts that the tank is composed of an internal storage sub-tank 11 made of water bearing materials 12 which are coated with a first water-impermeable sheet 13 and a second water-impermeable sheet 19. The examiner further characterizes the tank of Tokai as having a coating of second water-bearing materials 43 disposed around the internal water storage sub-tank 11 with the second sheet 19. The examiner also asserts that Tokai discloses intake pipes 21 and 42 which penetrate through first sheet 13 and which have a non-return valve 31. However, this characterization and description advanced by the examiner does not include a disclosure of the tank recited in claim 5 as amended.

More particularly, the presently claimed tank requires soil pressure absorption plates for absorbing soil pressure from the surrounding of the underground water storage tank as well as a second water-impermeable sheet for coating of the soil pressure absorption plates in order to prevent water stored in the internal water

storage sub-tank from leaking to the exterior. There is simply no disclosure of such components in the reference.

In particular, Tokai fails to disclose the presence of soil pressure absorption plates as required by amended claim 5. Moreover, the "second water-impermeable sheet 19" of the reference is significantly different from the second water-impermeable sheet 27 recited in claim 5.

Sheet 19 of Takai is used to collect rainwater which is fallen over a relatively wide area and has been filtered by the ground through which it travels. Sheet 19 is utilized to guide the thus filtered rainwater down to water tank 11 as disclosed at column 2, lines 26-42 of the reference. In complete contrast to this, sheet 27 recited in claim 5 coats the soil pressure absorption plate 26 and prevents water which is stored in the internal water storage sub-tank 11 from leaking to the exterior as pointed out in paragraph [0015] of publication US 2007/026-7418 A1.

Inasmuch as the Takai reference contains no such disclosure, it fails to anticipate the invention as recited in amended claim 5 and accordingly, the rejection thereon is untenable and should be withdrawn.

In view of the foregoing, it is submitted that this application is now in condition for allowance and favorable reconsideration and prompt notice of allowance are earnestly solicited.

Respectfully submitted,

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Date

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